

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

HERBERT H. GREEN, JR.,

Petitioner,

v.

ROGER LAVICK,

Respondent.

)
)
)
)
)
)
)
)
)
)

Case No. CIV-18-631-SLP

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Shon T. Erwin entered August 10, 2018 [Doc. No. 10]. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety. Grounds One through Three, construed as claims for habeas relief under 28 U.S.C. § 2241, are dismissed without prejudice. Ground Four, construed as a claim brought pursuant to 42 U.S.C. § 1983 is dismissed without prejudice. To the extent the Petition seeks mandamus relief, the Petition is dismissed without prejudice.

IT IS SO ORDERED this 10th day of September, 2018.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE